

EX PARTE OR LATE FILED

Original



Federal Communications Commission  
Office of the Secretary

Received May 29, 2003

To: 02-277

75 Ex parte notices

To: Chairman/Commissioners

EX PARTIAL OR LATE FILED

RECEIVED

MAY 29 2003

02-297

May 20, 2003

FAX: 202.418.0232

TO: Michael K. Powell; Kathleen Q. Abernathy; Michael J. Copps; Kevin J. Martin; Jonathan S. Adelstein -- Commissioners for the Federal Communications Commission

FROM: Members of the Peace and Justice Group and other residents at Friends House,  
684 Benicia Dr., Santa Rosa, CA 95409

We have recently learned that the FCC Commissioners is scheduled to meet on June 2, 2003, to discuss possible sweeping changes to the American news media that would allow one person or one company to own all local TV stations, newspapers, radio stations, and cable providers. This would mean that in any given area, NBC, ABC, CBS and Fox could have the same corporate parent. We believe that the resulting concentration of ownership could be deeply destructive to our democracy.

We understand that the Commission carries on a biennial review and that June 2nd is late in that process, but the seriousness of this review and proposed changes are so important to the future of our democracy, that your upcoming review warrants a very broad examination of the realities of such a sweeping change. This is especially so considering you have already received at least 18,000 comments, 12 studies and taken testimony at a number of broadcast ownership hearings, all of which indicate the inadvisability of further concentration of the media.

It is imperative that these proposed media concentration rules be aired publicly and that the Commission's review be postponed to allow for public reaction. The May 30th date for such discussion is premature. If the proposed changes are widely known and understood, you'll find that most Americans do not want one or two big companies controlling access to their "news" and entertainment. As citizens of this nation, we own the airwaves and allow media companies to use them in exchange for their assurance that they are serving the public interest. It is your job to make sure they do.

Our hope is that you will take immediate action to change your meeting date to allow for public discussion. Note that this letter is being circulated as widely as possible, and it goes without saying that we definitely expect an answer from you.

Sincerely,

Lynne B. Johnson  
 Charles E. Cockburn  
 Jean E. Barker  
 Lucien Tan - Postpassa  
 Frances Simonds  
 Elizabeth Israel Jones  
 Mary Festinger  
 Alice P. Burke  
 E. Stanley McCracken  
 Elizabeth Grant

Paul D. Berke  
 Dorothy Taylor Duncan  
 Too Important  
 Robert D. Owen  
 Adrienne Lyman  
 Virginia Thorpe White  
 Eberhart Benton  
 Marie H. Schuch  
 Molly Miner

Copies to: New York Times, Santa Rosa Press Democrat, Representative Lynn Woolsey, Senator Diane Feinstein and Senator Barbara Boxer

EX PARTE OR LATE FILED

RECEIVED

May 20, 2003

MAY 29 2003

Commissioner Michael Powell  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Federal Communications Commission  
Office of Secretary

02-277

Dear Commissioner Powell,

I believe the changes that the Federal Communications Commission is planning to make on June 2 will further restrict the number of voices and perspectives that the American public hears and views in the media. Major networks and large radio companies will win at the expense of independent media. There is research to refute the argument that Internet and cable provide a sufficient, counteracting force to the homogenous, bland and "spun" news that the big networks now provide.

I am disturbed that you have rejected the request of two FCC commissioners to delay the vote on media rules. These changes will have significant consequences that will reach far into the future, so asking for a few more weeks to consider the potential effects of a further loosening of the rules seems like a small request to make at this time.

The coverage of the recent war in Iraq brought home for me just how little diversity there really is in the American media, particularly the mainstream media, which is still where many Americans turn for their news. The FCC is supposed to act in the interests of the U.S. public, not that of corporations, which have already benefited tremendously from the previous loosening of media rules. I know I am only one of many who would urge you to reconsider your plans to institute rule changes that will result in an even greater consolidation of the media.

Sincerely yours,



Elizabeth Umlas  
235 Renfrew St.  
Arlington, MA 02476

*Copy for FCC:*

EX PARTE OR LATE FILED

20 May 03

Senators Durbin and Fitzgerald:

## OUR PUBLIC AIR WAVES

I urge you and your colleagues in the Senate to promote a diverse, balanced, and competitive media. Please stop the FCC rule change on June 2.

I find that the news presented by ABC, NBC and FOX all sounds the same as if it were a repeat of what they receive from the wire services and do not contain items that I gather from the internet and BBC, courtesy of NPR and WYCC (TV-20). The same situation exists on Clear Channel radio that is editorialized by the same source and lacks local items of interest.

Please stop the Federal Communications Commission intent to lift restrictions on media ownership that could allow our local newspaper, cable provider, radio stations, and TV channels all to be owned by one company. The result could be the disappearance of the checks and balances provided by a competitive media marketplace -- and huge cutbacks in local news and reporting. Good, balanced information is the basis for our democracy.

We allow media companies to use the airwaves in exchange for their assurance that they're serving the public interest, and it's the FCC's job to make sure that's so.

Please hold the FCC to its mandate and oppose the rule change.

Sincerely,

Wilbur Zielke  
11439 Foxwoods Drive  
Oak Lawn IL 60453



EX PARTE OR LATE FILED

05-21-03

To the FCC commissioner Jonathan Adelstein via Fax 1-866-418-0232

Dear Mr. Adelstein,

I heard your presentation yesterday on C-SPAN. The FCC needs to spend more time listening to the public before ruling on relaxing regulations on media ownership of TV, radio, and newspapers. However, it looks like the fix is in and the FCC is in a hell-hot hurray to pass regulations quickly under the public's radar – and it looks like this is just what Chairman Powell wants. I am greatly concerned about the concentration of media control in to the hands of a few owners. Case in point: the Dixie Chicks. Boy, anyone who dares exercise their First Amendment right of free speech gets blacklisted by Clear Channel, who just happens to be close friends and contributors to Bush and the GOP. The sanitized reporting of the Iraq "war" is another example of control of the media. Americans had to go to the BBC, or Canadian Broadcasting or other international news media to get real war reports. The Bush administration and its political and corporate attack dogs control America's news to promote their political agenda. This is wrong. Helen Thomas voices her opinions and gets trashed by the White House. Journalists who wrote unfavorable articles about the administration after 9-11 got fired. Press conferences are carefully scripted and only easy questions asked of Bush. We don't need "Pravda" or "Tokyo Rose" in the USA but we're on the road to this if media ownership controls are relaxed on 06-02-03. Don't let a few people control the information that flows to the public. If the FCC lets this happen, the FCC will be doing a grave disservice to the American people. Diversity, debate, the free flow of news, ideas and freedom of speech are what this country is all about.

Sincerely,

Candace Flenniken King  
801 Dimrock  
Schertz, TX 78154

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-5275

Facsimile Cover Sheet

Please Deliver to: The Honorable Michael Powell

Fax No. 1-866-418-0232

From: Senator Leahy

Phone: 202-224-7703

Number of Pages Including Cover: 4

Comments:

Original to follow  
by U.S. mail.

If there are any problems with this transmission, please call: \_\_\_\_\_

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02-277

EX PARTE OR LATE FILED

MAY 22 2003 1:47AM

NO. 8117-P. 1/4

May 20, 2003

The Honorable Michael Powell  
Chairman  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Dear Chairman Powell:

The Federal Communication Commission's rules pertaining to local media-ownership have long served a vital function, ensuring that Americans receive the benefit of diverse viewpoints in the media marketplace. However, recent plans by the FCC to loosen media-ownership rules, and the potential unification of virtually all Hispanic media under one banner, would severely undermine the important work of the Commission.

The FCC's cap on station ownership at 35% of the national TV audience has served as a bulwark not only in preserving diversity of viewpoints in the media marketplace, but in making certain that local programming reflects local values and preferences. If the cap is increased to 45% we can rest assured that major networks will meet or exceed the new threshold (as some companies have done under the current standards), allowing for the acquisition of local stations while eliminating the unique choices local programming can provide. The full extent to which this move will operate to the detriment of privately-owned stations is unclear - all the more reason for additional study.

We are further alarmed by proposed FCC guidelines that would effectively remove the newspaper-broadcast cross-ownership limitations in 80-percent of all media markets. Currently, cross-ownership rules prevent a single corporation from becoming too powerful a voice in a given community. There are those who argue that the increase in the number of media outlets has obviated the need for such rules. The reality, of course, debunks this notion - while the number of media outlets has increased, ownership has become more concentrated. There are certainly no fewer opinions among the populace today than in 1975 when the current standard was established, but there are undoubtedly fewer true avenues for their expression.

In light of these facts, it seems illogical that the FCC would exacerbate a disturbing trend which is transforming the marketplace of ideas into little more than a corporate superstore. The numbers tell the story. According to the Economic Policy Institute, the number of owners of commercial radio stations has declined by approximately 25% since 1996. Even more alarming, since 1995, "the number of entities owning commercial TV stations has dropped by 40%" (Gornery 2002). Furthermore, although the number of

different platforms for news and information is expanding, until more Americans use these resources, we must protect the diversity of viewpoints available in more traditional media. In light of this trend, the FCC should be working to diversify - not homogenize - the news media.

These rules are of particular concern to the people of Vermont, and both the Vermont Legislature and the Vermont Press Association have expressed opposition towards any hasty decision to change the media ownership rules. On May 13, 2003, the Vermont Legislature passed a joint resolution echoing the apprehension felt by many around the state. "The measure passed without a single dissenting voice, and it urges the FCC to 'restrain from relaxing further the restrictions on broadcast media outlet ownership.' In a show of support for this position, the Vermont Press Association provided an unequivocal endorsement of the resolution on May 13, and we hope you will pay special attention to their views:

Although FCC rules are a federal matter, what we read in newspapers, hear on the radio and see on television is a local and state issue. There is too much consolidation in the news business and too few independent voices; relaxing cross ownership rules even more will hurt all citizens. As a result, we support increased diversity in media ownership, not less.

Moreover, now is the time for careful consideration because once new guidelines are promulgated, media companies may enter legal relationships with the expectation that those guidelines will continue in place.

The unified voice of Vermont is not without support from the nation at large, and I wish to note the growing bipartisan consensus of legislators advocating public debate before these important decisions are undertaken. Moving with an overwhelming sense of speed without careful consideration is more appropriate will only raise doubts as to the motives underpinning any decision to alter the current ownership rules. As of today, more than one hundred lawmakers, as well as consumer groups, unions, and small business groups have raised serious doubts as to the wisdom of the proposed changes.

Additionally, many of these same individuals have raised concerns over the proposed merger of Univision and the Hispanic Broadcasting Corporation. If the merger is approved, it would result in the near-complete consolidation of all Spanish-language media under one corporate ledger head. Before signing off on this merger, we urge the FCC to determine if the Hispanic media market is separate and distinct, and therefore deserving of the same public interest analysis afforded to English-speaking media. Diversity of opinion and ideas is a laudable goal that translates well into any language.

Now is the time to move with thoughtful deliberation, so that political branches and the public might retain confidence that the FCC is acting with the broader interests of society at heart. Implementing new guidelines before the public can adequately and openly debate them does not convey that message. We therefore urge the Federal Communications Commission to delay the implementation of proposed changes to ownership rules until such time as the measures can be debated fully.



We further request the FCC to delay a vote on the merits of the proposed Univision and FBC merger until thorough administrative proceedings determine whether or not Hispanic media is a separate market for the purposes of the FCC's public interest analysis.

Sincerely,



PATRICK LEAHY  
U.S. Senator



JAMES JEFFORDS  
U.S. Senator

EX PARTE OR LATE FILED



THE DIOCESE OF SPRINGFIELD-CAPE GIRARDEAU

facsimile  
TRANSMITTAL

05-279

**Date:** May 22, 2003

**To:** Michael K. Powell, FCC Chair

**Fax:** 866-418-0232

**From:** Marilyn Vydra, Director  
Diocesan Communications Services

**Phone:** Phone: 417-866-0841 Catholic Center

**Pages:** 2 including this one



## THE DIOCESE OF SPRINGFIELD-CAPE GIRARDEAU

May 22, 2003

Mr. Michael K. Powell, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Mr. Powell:

In my dual role as a voter and as Communications Director for the Diocese of Springfield-Cape Girardeau, I have become increasingly concerned about the erosion of local news and public affairs programming caused by the weakening of broadcast ownership limits. Now there is yet another proposal that will serve to further weaken the less-than-desirable limits that are presently in place.

Media outlets (tv, radio and newspapers) are the essential sources of information about issues facing all citizens in a democracy. If these outlets are owned by only a handful of companies, the viewpoints expressed will be narrowed, and some issues and points of view will be lost entirely.

My understanding is that the commission intends to issue its decision on these changes on Monday, June 2, 2003. There have been little or no news reports on this impending decision. In my mind, that is an example of control of news that could be continued if the corporate media owners are given the go-ahead to go beyond the current ownership limits.

If nothing else, please delay making the decision and allow those of us who are voters, viewers, listeners and readers to learn more about the impact of further deregulation. It is the free flow of information that strengthens a democracy. Control of information by a few can only serve to weaken it.

Sincerely yours,

A handwritten signature in cursive script that reads "Marilyn Vydra".

Marilyn Vydra, Director  
Communications Services

cc: U.S. Representative Roy Blunt  
U.S. Senator Christopher Bond  
U.S. Senator Jim Talent

EX PARTE OR LATE FILED

Eileen Morley  
3 Highland Place  
Gloucester MA 01930

02-277

May 23 2003

FAX to: Commissioner Kevin J. Martin  
Federal Communications Commission  
1-866-418-0232

---

Dear Commissioner Martin:

I write to ask you to take notice of the wave of opposition sweeping the country against media deregulation. We beg you to delay the decision and open the issue to broader public scrutiny and discussion. An open diversely- owned and local media is at the heart of the democratic process. The monolithic centralised media which will result from deregulation will do immense damage to our institutions and will be the worst kind of "Big Brother".

I have already sent the FCC a petition signed by a small local group of fifteen people here. Another petition signed by many more will soon be coming to you.

I talked personally to Congressman Tierney last Sunday who said he was surprised by the seriousness and intensity of the protest his office is receiving. Senator Kerry and other senators are holding meetings to gather information about the public's opinion and decide what should be done to respond to it.

We urge you to take note of the growing surge of public demand for more careful examination of the deregulation issues and require that the FCC postpone the June 2 vote and respond to the public's demand for more information and more public enquiry and debate.

respectfully,

Eileen Morley

23 MAY 2003

Chairman Michael Powell:

02-277

I understand that the FCC is considering reducing the restrictions on ownership of radio and TV stations. If one corporation can control several media outlets in an area, the public will have less access to differing opinions. Democracy is much better served when there is a wide array of opinion expressed and the media are owned by DIFFERENT ENTITIES. I urge you not to reduce the restrictions on ownership of radio & TV stations.

There has been too little publicity about this very important issue. Therefore I am asking you to extend the comment period.

Frank Letton

POB 294

Whitethorn, CA 95589

Mon 26 May 2003 02:37:18 PM EDT  
Harriet Warnock-Graham  
1118 Ogontz Ave  
Maumee, OH 43537

P. 1

EX PARTE OR LATE FILED

02-277

May 26, 2003

Chairman Michael Powell  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Chairman Powell:

It is my understanding that the Federal Communications Commission is considering possible changes to its media ownership rules. I urge you to fully disclose your ideas on this extremely important issue and allow hearings and public comment.

Allowing greater concentration and cross-ownership of media may have a profound impact on Americans' access to a wide range of news, information, programming and political commentary. To have a healthy democratic dialogue and participation on major issues, I believe it is important that we have access to a diversity of opinions and information, not a handful of options. Altering media ownership rules could seriously affect vigorous public debate and the marketplace of ideas. Rulemaking of this significance should therefore be open to public comment.

I also believe that, to stay democratic and free, we need to ensure diversity of opinion and the free exchange of ideas. It is imperative that there be the widest possible comment on any proposed rule so the Commission may fairly and impartially evaluate whether it will promote or hinder such diversity.

Once again, I urge you to fully disclose your ideas on this extremely important issue and allow hearings and public comment.

Sincerely,

Harriet Warnock-Graham

EX PARTE OR LATE FILED

4901 Broadway, Ste. 100  
San Antonio, Texas 78209  
(210) 822- 5795  
May 24, 2003

05-29-03

Commissioner Michael Copps  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554  
Fax (866) 418-0232

RE: Ownership Rules

Dear Commissioner Copps:

I am very concerned to hear that there may be a rush to have a vote on the ownership rules regulating the media. I think you are one of the committee members who are requesting a delay on this vote. I am writing in full support of the delay in order to provide time for citizens to consider and communicate their opinions on this matter before major decisions are made.

I do not want a few corporations controlling all the news and information I get. This is supposed to be a democracy! Thank you for your support of the delay.

Sincerely,

*Billie Smithson*  
Billie Smithson

4901 Broadway, Ste. 100  
San Antonio, Texas 78209  
(210) 822- 5795  
May 24, 2003

Commissioner Jonathan Adelstein  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554  
Fax (866) 418-0232

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Sincerely,

A handwritten signature in cursive script that reads "Billie Smithson".

Billie Smithson



4901 Broadway, Ste. 100  
San Antonio, Texas 78209  
(210) 822- 5795  
May 24, 2003

Commissioner Kevin Martin  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554  
Fax (866) 418-0232

RE: Ownership Rules

Dear Commissioner Martin:

I am very concerned to hear that there may be a rush to have a vote on the ownership rules regulating the media. I am writing to urge you to comply with the request of several committee members to delay this vote in order to provide time for citizens to consider and communicate their opinions before major decisions are made about these extremely significant issues.

I do not want a few corporations controlling all the news and information I get. This is supposed to be a democracy! Thank you for your careful consideration of this matter.

Sincerely,



Billie Smithson

4901 Broadway, Ste. 100  
San Antonio, Texas 78209  
(210) 822- 5795  
May 24, 2003

Commissioner Kathleen Abernathy  
Federal Communications Commission  
445 12th Street SW  
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Fax (866) 418-0232

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Billie Smithson

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Sincerely,



Billie Smithson



## COMMUNICATIONS SCIENCE AND TECHNOLOGIES, INC.

515 MADISON AVENUE SUITE 2306 NEW YORK, NEW YORK 10022-5403

Email: [cstinfo@email.com](mailto:cstinfo@email.com) Website : [communicationsscienceandtechnologies.8k.com](http://communicationsscienceandtechnologies.8k.com) Fax 212-754-2110

Via Fax: 202-418-0232  
Chairman Michael K. Powell  
445 12th Street SW  
Washington, DC 20554

May 26, 2002

RE: Digital Conversion Fund Proposal (Doc. No. 02-277)

Dear Chairman Powell:

As the Commission nears its decision on its 2002 Biennial Regulatory Review of Media Ownership (FCC Docket No. 02-277), Communications Science and Technologies, Inc. (CS&T) believes that it would be helpful to focus attention on a unique policy proposal which was outlined in its comments.

Specifically, CS&T has proposed that the FCC require that all companies taking advantage of liberalized ownership rules be required to set aside a small percentage (as little as 2%) of the capital that they devote to the acquisition of expansion facilities to be loaned to the Digital Conversion Fund. The monies loaned to the Fund at commercial rates for a 5 to 7 year term would be used to help finance the digital conversion of those industry members lacking ready access to capital required to upgrade their transmission plants.

To this point, little, if any, attention has been devoted to the significant problems faced by small market, low power, minority owned and public television stations and small market cable systems and telephone systems that face the immediate need to convert to digital technology, but do not have the financial resources required for the upgrade. This critical problem can be addressed through the establishment of the Digital Conversion Fund supported by the companies in the industry benefiting the most from the needed reform of the ownership rules.

Based on the projected volume of station transactions expected to result from the new ownership rules, a 2%- 5% loan fund requirement would create \$750 MM to \$2 billion in funding to be made available to those stations and systems qualifying for assistance to complete the conversion of their facilities. Without such a funding source, the only likely results of the present situation will be appeals for Congressional funding assistance in the form of grants (already advocated by PBS stations), an inordinate delay in completing the conversion of under capitalized facilities, or the termination of operations by licensees and systems unable to upgrade. None of these alternatives should be viewed as acceptable.


The Digital Age we are entering truly holds the promise of transforming our present mass communications technologies, opening literally unlimited channels of information, education, news and entertainment to our nation's citizens. We and others believe that the CS&T proposal is inventive, practical and timely, as it offers a needed private enterprise approach to provide the capitalization to achieve total digital conversion.

Sincerely

William L. Whitely  
Executive Vice President

Cc: FCC Commissioners (by individual letter)  
House and Senate Commerce Committees and Staff  
FCC Docket No. 02-277  
Trade Press

621 Alamo Heights Boulevard  
San Antonio, Texas 78209-4506  
(210) 828-9030  
May 07, 2003



Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554  
Fax: 1-866-418-0232

RE: Modification of Ownership Rules

Dear Chairman Powell:

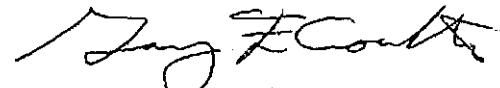
I am writing to express my concern regarding the commission's pending action on the above. As you know, changes in these rules stand to have a major impact on the face of broadcasting in the U.S. In my opinion, loosening of the rules will greatly narrow perspectives available on international and national news (which would be highly undesirable).

Decisions with such serious implications should, of course, be made only after (a) gathering of an adequate amount of pertinent information, (b) serious consideration of that information, and (c) serious deliberation.

It is obvious to me that the commission has not had adequate input from the public who will be affected by changes to the ownership rules. I urge you to delay the upcoming deadline on making changes to the ownership rules until adequate public input has been obtained.

Thank you.

Sincerely,



Gary F. Coulton, Ph.D.

xc: Commissioner Kathleen Q. Abernathy  
Commissioner Michael J. Copps  
Commissioner Kevin J. Martin  
Commissioner Jonathan S. Adelstein  
Senator Kay Bailey Hutchinson  
Senator John Cornyn  
Representative Lamar Smith

621 Alamo Heights Boulevard  
San Antonio, Texas 78209-4506  
(210) 828-9030  
May 07, 2003

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RE: Modification of Ownership Rules

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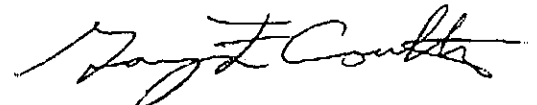
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Gary F. Coulton, Ph.D.

xc: Chairman Michael K. Powell  
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Commissioner Jonathan S. Adelstein  
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Gary F. Coulton, Ph.D.

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RE: Modification of Ownership Rules

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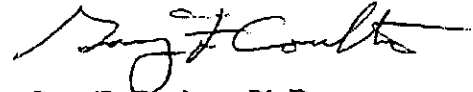
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Gary F. Coulton, Ph.D.

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Dear Commissioner Martin:

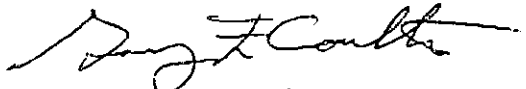
I am writing to express my concern regarding the commission's pending action on the above. As you know, changes in these rules stand to have a major impact on the face of broadcasting in the U.S. In my opinion, loosening of the rules will greatly narrow perspectives available on international and national news (which would be highly undesirable).

Decisions with such serious implications should, of course, be made only after (a) gathering of an adequate amount of pertinent information, (b) serious consideration of that information, and (c) serious deliberation.

It is obvious to me that the commission has not had adequate input from the public who will be affected by changes to the ownership rules. I urge you to delay the upcoming deadline on making changes to the ownership rules until adequate public input has been obtained.

Thank you.

Sincerely,



Gary F. Coulton, Ph.D.

xc: Chairman Michael K. Powell  
Commissioner Kathleen Abernathy  
Commissioner Michael Copps  
Commissioner Jonathan S. Adelstein  
Senator Kay Bailey Hutchinson  
Senator John Cornyn  
Representative Lamar Smith